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## SENATE BILL No. 40

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2-12-4.

**Synopsis:** Sex and violent offender registry. Requires a person who murders another person who is less than 18 years of age to register with the sex and violent offender registry.

**Effective:** July 1, 2005.

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### Antich-Carr

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January 4, 2005, read first time and referred to Committee on Judiciary.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## SENATE BILL No. 40

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 5-2-12-4 IS AMENDED TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2005]: Sec. 4. (a) As used in this chapter,  
"offender" means a person convicted of any of the following sex and  
violent offenses:

- (1) Rape (IC 35-42-4-1).
- (2) Criminal deviate conduct (IC 35-42-4-2).
- (3) Child molesting (IC 35-42-4-3).
- (4) Child exploitation (IC 35-42-4-4(b)).
- (5) Vicarious sexual gratification (IC 35-42-4-5).
- (6) Child solicitation (IC 35-42-4-6).
- (7) Child seduction (IC 35-42-4-7).
- (8) Sexual misconduct with a minor as a Class A, Class B, or  
Class C felony (IC 35-42-4-9).
- (9) Incest (IC 35-46-1-3).
- (10) Sexual battery (IC 35-42-4-8).
- (11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen  
(18) years of age.



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(12) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.

**(13) Murder (IC 35-42-1-1), if the victim is less than eighteen (18) years of age.**

~~(13)~~ **(14)** An attempt or conspiracy to commit a crime listed in subdivisions (1) through ~~(12)~~: **(13)**.

~~(14)~~ **(15)** A crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in subdivisions (1) through ~~(13)~~: **(14)**.

(b) The term includes a child who has committed a delinquent act and who:

(1) is at least fourteen (14) years of age;

(2) is on probation, is on parole, or is discharged from a facility by the department of correction, is discharged from a secure private facility (as defined in IC 31-9-2-115), or is discharged from a juvenile detention facility as a result of an adjudication as a delinquent child for an act that would be an offense described in subsection (a) if committed by an adult; and

(3) is found by a court by clear and convincing evidence to be likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

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